

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

IRFAN AMANAT,

Defendant.

S8 15 Cr. 536 (PGG)

I, Julie Amato, pursuant to Title 28, United States Code, Section 1746, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am currently a Special Agent with the Federal Bureau of Investigation ("FBI"). I have been an FBI agent for approximately four years. I am currently assigned to a New York City-based squad ("Squad C-35") that investigates white collar crimes, including violations of the United States securities laws. I am one of the case agents that was assigned to both the 2017 trial, *United States v. Kaleil Isaza Tuzman* and *Omar Amanat*, and the 2018 trial, *United States v. Irfan Amanat*, S8 15 Cr. 536 (PGG).

2. Since the convictions following the 2017 and 2018 trials, I have been the primary case agent assigned to the post-trial proceedings in these matters.

3. I make this declaration in support of certain factual assertions made by the Government in a letter response to the Court dated August 29, 2019.

4. In connection with preparing this declaration, I have reviewed internal FBI reports relating to an individual named Spyros Enotiades ("Enotiades"). I have also spoken to another member of Squad C-35, who has the primary FBI relationship with Enotiades (the "FBI Handling Agent").

Historical FBI Interactions with Spyros Enotiades

5. In or about 2009, for an approximately seven-month period, Spyros Enotiades was a confidential human source ("CHS") for an FBI squad in Texas. Based on my review of FBI files, none of Enotiades' work for the FBI in that time period related in any way to either Omar Amanat ("Omar") or Irfan Amanat ("Irfan"). During that seven month time period, Enotiades was paid approximately \$18,000 in connection with his work and expenses as a CHS for the Texas squad.

6. In or about August 2011, Enotiades became a CHS for Squad C-35. The FBI Handling Agent has been the primary point of contact for Enotiades since that date. Between August 2011 and the present, Enotiades has been tasked with relatively few assignments. None of these assignments had any relation to Omar, Irfan, or any topic related to the above-captioned matter. I had no personal involvement in these matters. In connection with these assignments, the FBI paid Enotiades approximately \$9,000. The last time Enotiades was paid by the FBI was in 2013.

7. Between August 2011 and Omar's conviction in December 2017, Enotiades occasionally provided the FBI Handling Agent with unsolicited information about matters of potential interest to the FBI. However, at no time during this period did the information provided to the FBI reference Omar, Irfan, or any topic related to the above-captioned matter.

8. [REDACTED]

Enotiades Provides Amanat-Related Information to the FBI Between July and October 2018

9. The first time that Enotiades referenced Omar to the FBI was during an in-person meeting with the FBI Handling Agent on or about July 20, 2018. Enotiades communicated to the FBI Handling Agent, in substance and in part, that he had information relating to an individual named Omar Amanat and one other individual ("Individual-1"). The FBI Handling Agent recognized the name Omar Amanat as relating to a criminal case in which I was involved. The FBI Handling Agent concluded the meeting with Enotiades without obtaining more substantive information. The FBI Handling Agent promptly informed me that a CHS had indicated he possessed information relating to Omar Amanat.

10. On or about July 31, 2018, I first spoke to Enotiades via telephone. Between in or about August 2, 2018 and on or about October 1, 2018, I spoke or met with Enotiades on more than a dozen occasions. On or about August 27, 2018, October 17, 2018, October 25, 2018 and October 29, 2018, I participated in meetings between Enotiades and representatives of the United States Attorney's Office ("USAO-SDNY").

11. A typed report or notes summarizing each of the communications and/or meetings was created near the time they occurred and promptly provided to the USAO-SDNY by October 29, 2018 (the "FBI Reports").

12. All of the information provided by Enotiades concerning his interactions with Omar and Irfan was historical. The events relayed by Enotiades had already occurred by the time Enotiades first mentioned Omar to the FBI Handling Agent in or about July 2018.

13. At no time did the FBI task or direct Enotiades to take any action relating to either Omar or Irfan Amanat. In addition, on more than one occasion, I instructed Enotiades that the FBI was specifically not asking or directing him to take any action with regard to the Amanats.

14. At no time has the FBI compensated Enotiades in any manner, financial or otherwise, for the information he provided regarding Omar and Irfan Amanat.

15. While I do not here include every detail of the information provided by Enotiades and memorialized in the FBI Reports, I note the following information, in substance and in part, provided by Enotiades:

- a. CHS was originally introduced to Amanat in or about early 2017. Amanat was to be a source of information for CHS. The CHS was introduced to Amanat because CHS was under the impression Amanat had information CHS could use to give to the authorities regarding terrorism.
- b. In the course of these conversations, Amanat introduced CHS to Amanat's brother, Irfan.
- c. Omar told the CHS that he had issues with the Securities and Exchange Commission, and later, criminal authorities. The CHS introduced Omar to the attorney who represented Omar at the 2017 trial.
- d. Also in 2017, Amanat started to talk to the CHS about creating fraudulent documents that could be used to frame certain individuals, including witnesses expected to testify at Amanat's trial.
- e. Following Omar's conviction at trial and remand into custody, both Omar and Irfan continued to communicate with the CHS and to request assistance with obtaining fraudulent documents.
- f. The last contact that Enotiades had with Omar Amanat was in or about January 2018.

- g. In January and February 2018, Irfan Amanat met in person with the CHS to discuss the creation of fake documents. Irfan provided the CHS with a hard copy of what appears to be a false declaration intended to be submitted to this Court in connection with post-trial motions.
- h. The last contact that Enotiades had with Irfan Amanat was in or about February or March 2018.
- i. The CHS did not ultimately provide fraudulent documents to either Omar or Irfan Amanat.
- j. The CHS contacted the FBI about Omar Amanat in July 2018 because the CHS believed that Amanat and his family had fraudulently convinced Individual-1 to transfer certain properties he owned and money to Amanat.

16. In the course of my communications with Enotiades between July 2018 and October 2018, Enotiades provided me with certain documents related to his communications with the Amanats, including What's App messages between Enotiades and Omar Amanat, as well as what appears to be a false declaration in support of a motion intended to be submitted to this Court. I provided those materials to the USAO-SDNY on or before October 29, 2018.

Enotiades' Anticipated Post-Trial Testimony

17. On October 17, 2018, October 25, 2018, and October 29, 2018, I, along with AUSAs on the prosecution team, met with Enotiades to discuss his potential testimony at a post-trial hearing in the event Irfan Amanat was convicted. Reports of those meetings are included in the FBI Reports.

18. Jury selection in Irfan's trial began on October 22, 2018.

19. The jury was charged on October 26, 2018. Enotiades was present in the U.S. Attorney's Office on October 26, 2018 and prepared to testify at a potential post-trial hearing. After receiving the charge, the jury returned a note indicating that they would begin deliberations on the morning of October 29, 2018.

20. Enotiades returned to the U.S. Attorney's Office on the morning of October 29, 2018 and was again prepared to testify. The jury began its deliberations at approximately 9:35 a.m.

21.

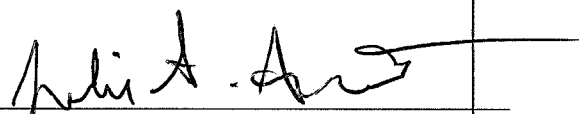


22.



23. Enotiades expressed a willingness and desire to testify in this matter beginning the following day and has continued to indicate his desire to testify since then.

August 29, 2019
New York, New York



Special Agent Julie Amato
Federal Bureau of Investigation